

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MINNEAPOLIS FIREFIGHTERS' RELIEF
ASSOCIATION, individually and on behalf
of all others similarly Situated, UNION
ASSET MANAGEMENT HOLDING AG,
OKLAHOMA FIREFIGHTERS PENSION
FUND, CARPENTERS ANNUITY TRUST
FUND FOR NORTHERN CALIFORNIA,
and CARPENTERS PENSION TRUST
FUND FOR NORTHERN CALIFORNIA,

Plaintiffs,

v.

MEDTRONIC, INC., WILLIAM A.
HAWKINS, III, GARY ELLISS, and
ARTHUR D. COLLINS, JR.,

Defendants.

Court File No. 0:08-cv-06324-PAM-AJB

**AMENDED ORDER ON MOTIONS
TO COMPEL**

Based on the joint request of the parties, paragraphs 1 and 2 on page 4 of the Court's Order and Memorandum on Motions to Compel dated September 21, 2011 [Docket No. 241] regarding Settled Motions, are hereby amended in part as follows:

1. Plaintiffs' Motion to Compel (Docket No. 196) was settled in its entirety. (See Tr. at 4-6.) The parties have agreed to production from fifty (50) additional sales custodians to be chosen by the plaintiffs; twenty-seven (27) additional search terms in Medtronic Inc.'s databases; and twelve (12) custodians who are not a part of the sales division who will be the subject of

searches.¹ (*Id.*) The Court therefore dismisses the motion with prejudice in accordance with the terms of the parties' agreement.

2. The parties agreed that Defendants need not identify the Bates numbers of the documents produced to the government, which disposes of one portion of plaintiffs' Motion to Compel. (Tr. at 5; Docket No. 200.) As a result, the Court dismisses that portion of the motion with prejudice.

Dated: September 26, 2011

Arthur J. Boylan
Arthur J. Boylan
Chief United States Magistrate Judge

¹ The custodians who are not subject to search are Winters, Bob Smith, Musgrave, Randy Ryan, Chris Lyons, Mahle, and Oesterle. The agreement to production from fifty additional sales custodians also includes the confidential witnesses discussed in the briefing. (Tr. at 5-6.)